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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,281	07/08/2003	Weidong Wang	M1103.70275US00	8227

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EXAMINER	
HAMZA, FARUK	

ART UNIT	PAPER NUMBER
2155	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/615,281	WANG ET AL.	
	Examiner	Art Unit	
	Faruk Hamza	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 June 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) *24* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Response to Amendment

1. This action is responsive to the amendment filed on June 11, 2007. Claims 1-3,10,11-12 and 23 have been amended. Claim 24 has been canceled. Claims 1-23 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-10,12-21 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Leymann et al. (U.S. Patent Number 6,681,251) hereinafter referred as Leymann.

Leymann teaches the invention as claimed including a method comprises an application client sends an application request to a request queue of a dispatcher. The dispatcher extracts an application request from said request queue and selects a certain one of the application server to which the extracted application request is to be sent based on a table (See abstract).

As to claim 1, Leymann teaches a method for providing access over a network to data and services available within a collaborative computer system, the collaborative system comprising a plurality of collaborative clients, each collaborative client maintaining collaborative data based on user interactions with the collaborative system, the access being provided in response to a request message from a non-collaborative client, the request containing information identifying the non-collaborative client and the method comprising:

a) receiving the request message in a server connected to the non-collaborative client, extracting from the request message the information identifying the non-collaborative client and modifying the request message by replacing the information identifying the non-collaborative client with information identifying a queue in the server (abstract, Column 6, lines 14-Column 7, lines 15, Leymann discloses

receiving message from client (non-collaborative client) and modifying it);

b) sending the modified request message to a collaborative client of the plurality of collaborative clients via the network, wherein the request message specifies collaborative data to update or return collaboratie data, and the collaborative client provides a response message based on the request message (abstract, Column 6, lines 14-Column 7, lines 15, Leymann discloses sending modified message to collaborative client (application servers));

c) sending the response message to the server queue identified in the modified request message (abstract, Column 6, lines 14-Column 7, lines 15, Leymann discloses sending response message), and

d) using the information in the server identifying the non-collaborative client to forward the response message from the server queue to the non-collaborative client (abstract, Column 6, lines 14-Column 7, lines 15, Leymann discloses forwarding response message to client).

As to claim 2, Leymann teaches the method of claim 1 further comprising:

(e) before step (a) is performed, the collaborative client publishing a convenient name associated with at least a portion of the data and services available within the collaborative computer system (Column 5, lines 7-53).

As to claim 3, Leymann teaches the method of claim 2 wherein the request message includes the convenient name and step (a) comprises:

(a1) extracting from the request message the convenient name (Column 6, lines 14-Column 7, lines 15); and

(a2) using the convenient name to retrieve information identifying the location of the collaborative client that can provide the selected data and services (Column 6, lines 14-Column 7, lines 15).

As to claim 4, Leymann teaches the method of claim 1 wherein step (b) comprises:

(b1) sending the modified request message directly to the collaborative client when the collaborative client is connected to the network (Column 6, lines 14-Column 7, lines 15); and

(b2) sending the modified request message to a relay server when the collaborative client is not connected to the network (Column 6, lines 14-Column 7, lines 15).

As to claim 5, Leymann teaches the method of claim 4 wherein the server is part of the relay server that connects the non-collaborative client to the network (Fig.2).

As to claim 6, Leymann teaches the method of claim 1 wherein the server waits on the server queue after step (b) and wherein step (d) further comprises:

(d1) forwarding the response message from the server queue to the non-collaborative client when the response message is received in the server queue (Column 6, lines 14-Column 7, lines 15).

As to claim 7, Leymann teaches the method of claim 1 wherein the server does not wait for a response in step (b) and wherein step (d) is performed in response to a method call by the non-collaborative client (Column 6, lines 14-Column 7, lines 15).

As to claim 8, Leymann teaches the method of claim 7 wherein the request message contains a unique request identifier and wherein the response message returns the unique request identifier to the non-collaborative client and the non-collaborative client compares the request identifier sent in the request message with the request identifier in the response message to determine if the response is associated with the request (Column 6, lines 14-Column 7, lines 15).

As to claim 9, Leymann teaches the method of claim 1 further comprising:

(e) subscribing to an event service at the collaborative client indicating a request for notification of selected actions in the collaborative system (Column 6, lines 14-Column 7, lines 15); and

(f) the collaborative client placing event messages in the server queue when a selected action occurs (Column 6, lines 14-Column 7, lines 15).

As to claim 10, Leymann teaches the method of claim 1 wherein the request and the response messages have the same protocol (Column 6, lines 14-Column 7, lines 15).

Claims 12-21 and 23 do not teach or define any new limitations other than above claims 1-10. Therefore rejected for similar reasons.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 11 and 22 rejected under 35 U.S.C. 103(a) as being unpatentable over Leymann as applied above, and further in view of Official Notice.

Leymann teaches the invention substantially as claimed including a method comprises an application client sends an application request to a request queue of a dispatcher. The dispatcher extracts an application request from said request queue and selects a certain one of the application server to which the extracted application request is to be sent based on a table (See abstract).

As to claim 11, Leymann teaches the method of claim 10.

Leymann does not explicitly teach claim limitation of Simple Object Access Protocol.

However, "Official Notice" is taken that the concept and advantages of Simple Object Access Protocol is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Leymann by adding Simple Object Access Protocol, which would provide decentralized exchange of information in distributed environment. One would be motivated to do so to enhance the system's communication platform.

Claim 22 does not teach or define any new limitation other than above claim 11.

4. **Examiner's Note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context.

Response to Arguments

5. Applicant's arguments have been fully considered but they are not persuasive.

In the remarks applicant's argues in substance that; A) Leymann does not teach a collaboration system or to allowing a non-collaborative client to access collaborative data. B) Leymann does not teach renaming messages or sending a response message to a queue or forwarding the response from the queue to a non-collaborative client.

In response to A) Applicant is reminded that claim limitation must be given their reasonable broadest interpretation. It merely recites "collaboration system. Claim language fails to provide any details of collaboration system. The examiner broadly interpreting clustered applications to be collaborative client and other non-clustered application to be non-collaborative client. Clustered applications

communicate or interact among themselves and non-clustered applications interact with the clustered applications through dispatcher server (abstract, Column 6, lines 14-Column 7, lines 15). Therefore, teaching of Leymann meets the claimed limitations.

In response to B) Applicant is arguing renaming messages or sending a response message to a queue or forwarding the response from the queue to a non-collaborative client. Applicant's arguments are inconsistent with claims. This/These limitation(s) are not found in the claims. Claimed subject matter not the specification is the measure of the invention. Disclosure contained in the specification cannot be read into the claims for the purpose of avoiding prior art. In re Sporck, 55 CCPA 743, 386 F .2d 924, 155 USPQ 687 (1986); In re Self, 213 USPQ 1,5 (CCPA 1982); In re Priest, 199 USPQ 11, 15 (CCPA 1978).

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory

action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll –free).

Faruk Hamza

Patent Examiner

Group Art Unite 2155

SALEH NAJJAR
SUPERVISORY PATENT EXAMINER